

REMARKS

Claims 17-33 are pending. By this Amendment, claims 22 and 30 are amended.

Allowable Subject Matter

Claims 22 and 30 were objected to as being dependent upon a rejected base claim.

Claims 22 and 30 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Double Patenting

The Office Action provisionally rejected claims 17-21, 23-29 and 31-33 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 20-46 of co-pending Application No. 10/566,009. A Terminal Disclaimer is filed herewith to overcome the Double Patenting rejection. The Office Action also provisionally rejected claims 17-21, 23-29 and 31-33 on the grounds of non-statutory obviousness-type double patenting over claims 12-29 of co-pending Application No. 10/565,723. Applicant notes that the '723 case is in a state of abandonment in that applicants intentionally did not respond to the February 26, 2010 Office Action, and the period for response has expired. Therefore, no Terminal Disclaimer is being filed with regards to same.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas J. Christensen', with a long horizontal flourish extending to the right.

Douglas J. Christensen  
Registration No. 35480

Customer No. 24113  
Patterson Thuyente Christensen Pedersen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100  
Telephone: 612.349.3001